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17 Attorneys for Plaintiff MARSHALL FIELD
and all other similarly situated persons
18

19 IN THE UNITED STATES DISTRICT COURT
20 FOR THE NORTHERN DISTRICT OF CALIFORNIA

21 MARSHALL FIELD, individually and on behalf of
22 all other similarly situated persons,

23 Plaintiffs,

24 v.

25 AMERICAN MORTGAGE EXPRESS CORP., a
Pennsylvania Corporation and GEVITY HR, INC., a
26 Florida Corporation,

27 Defendants.
28

Case No.: C 09-05972 MHP

**JOINT STIPULATION AND
[PROPOSED] ORDER REGARDING
DEPOSITION AND MOTION FOR
SUMMARY JUDGMENT SCHEDULE**

1 Plaintiff Marshall Field ('Field'), by and through his undersigned counsel, and Defendant
2 Gevity HR, Inc. ("Gevity"), by and through its undersigned counsel, hereby enter into the following
3 Joint Stipulation:

4 WHEREAS a Case Management Conference was held on August 30, 2010 after which the
5 Court ordered that depositions of Marshall Field and Marla Barr be completed by October 15, 2010
6 and set forth a briefing schedule for motions for summary judgment;

7 WHEREAS counsel for Field and Gevity have worked with their clients and each other to
8 schedule the requisite depositions of Field and Barr, but are unable to complete them before the
9 October 15, 2010 deadline;

10 WHEREAS Field and Gevity have reached agreement and confirmed with their clients
11 availability for the depositions of Field and Barr after the October 15, 2010 deadline;

12 NOW, THEREFORE, Field and Gevity hereby stipulate and agree as follows:

- 13 1. The deposition of Marshall Field shall take place on October 22, 2010;
- 14 2. The deposition of Marla Barr shall take place on November 8, 2010;
- 15 3. The parties agree to continue the October 15, 2010 deadline to complete these
16 depositions if the Court is in agreement;
- 17 4. In light of the dates of the depositions, which are relevant to the motions for summary
18 judgment, Field and Gevity agree to continue the deadlines to file and serve and hold a hearing on
19 the motions for summary judgment, if the Court is in agreement, to the following:
 - 20 (a) The deadline to file any motion for summary judgment is continued to January
21 10, 2011;
 - 22 (b) The deadline to file any opposition to any motion for summary judgment is
23 continued to January 24, 2011; and
 - 24 (c) The deadline to file any reply to any opposition to any motion for summary
25 judgment is January 31, 2011.

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(d) The hearing on the motions will be continued to February 14, 2011

Dated: October 13, 2010

DUANE MORRIS LLP

By: /s/ Lorriane P. Ocheltree

Eric P. Berezin
Lorraine P. Ocheltree
Allegra A. Jones
Attorneys for Defendant
GEVITY HR, INC.

Dated: October 13, 2010

CORNERSTONE LAW GROUP

By: /s/ Harry G. Lewis

Harry G. Lewis
Attorneys for Plaintiff
MARSHALL FIELD and all other similarly situated
persons

ORDER

IT IS SO ORDERED.

Dated: October 18, 2010

Honorable
Judge of the



GENERAL ORDER 45 CERTIFICATION

I, Allegra A. Jones, hereby attest pursuant to N.D. Cal. General Order No. 45 that the concurrence to the filing of this document has been obtained from each signatory hereto.

Dated: October 13, 2010

DUANE MORRIS LLP

By: /s/ Allegra A. Jones
Allegra A. Jones
Attorneys for Defendant
GEVITY HR, INC.